

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH ROBERT MARKLE,

Plaintiff,

v.

MICHAEL R. ADAMS and  
HEATHER SHAFFER-ROCKWELL,

Defendants.

No. 4:18-CV-00157

(Judge Brann)

**ORDER**

**MARCH 16, 2020**

Plaintiff Joseph Markle filed a complaint alleging violation of his constitutional rights pursuant to 42 U.S.C. § 1983 by way of unlawful arrest and incarceration, malicious prosecution, and civil conspiracy.<sup>1</sup> On February 25, 2020, Chief Magistrate Judge Susan E. Schwab issued a Report and Recommendation recommending that this Court grant the defendant's motion for summary judgment.<sup>2</sup> No timely objections were filed to this Report and Recommendation.

Where no objection is made to a report and recommendation, this Court will review the recommendation only for clear error.<sup>3</sup> Regardless of whether timely

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<sup>1</sup> See Amended Compl. (ECF No. 8).

<sup>2</sup> See Mot. for Summ. J. (ECF No. 56).

<sup>3</sup> Fed. R. Civ. P. 72(b), advisory committee notes; see *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987) (explaining that court should in some manner review recommendations regardless of whether objections were filed).

objections are made, district courts may accept, reject, or modify—in whole or in part—the findings or recommendations made by the magistrate judge.<sup>4</sup> Upon review of the record, the Court finds no clear error in Chief Magistrate Judge Schwab’s conclusion that Defendants are entitled to summary judgment.

Consequently, **IT IS HEREBY ORDERED** that:

1. Chief Magistrate Judge Susan E. Schwab’s Report and Recommendation (ECF No. 72) is **ADOPTED**.
2. Defendant’s Motion for Summary Judgment (ECF No. 56) is **GRANTED**.
3. Final judgment shall be entered for Defendants on all counts.
4. The Clerk of Court is directed to close the case.

BY THE COURT:

*s/ Matthew W. Brann*  
Matthew W. Brann  
United States District Judge

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<sup>4</sup> 28 U.S.C. § 636(b)(1); Local Rule 72.31.